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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,930	12/29/2003	Ariel Cohen	884.C03US1	6686

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EXAMINER

NGUYEN, PATRICIA T

ART UNIT PAPER NUMBER

2817

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/749,930

Applicant(s)

COHEN, ARIEL

Examiner

Patricia T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-9, 11, 12, 15, 16, 19-22, 25, 26 and 30-36 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 10, 13, 14, 17, 18, 23, 24 and 27-29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5, 6-9, 11, 12, 15, 16, 19-22, 25, and 33-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Candage et al., U.S. Patent # 5,959,490.

Fig. 1 of Candage et al. discloses a circuit comprising: transistors MP1, MP2 or MP5, MP6 can be read as a differential pair or a first amplifier; input terminals INP, INN can be read as a pair of differential input terminals; outputs at drains of transistors MP1, MP2 or MP5, MP6 can be read as output port or output node; VBB can be read as a gate bias voltage; transistors MP3, MP4 or MP7, MP8 can be read as an active load; ground can be read as a reference node (see spec. col. 3, lines 1-3, col. 4, lines 26-33).

Regarding claim 14, see spec. col. 3, lines 24-30.

Regarding claims 25 and 36, see spec. col. 3, lines 15-19.

Regarding claims 19-22, 25, although Candage et al. does not have his method written out structurally, the method resides inherently in his apparatus.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26, 30, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Candage et al., U.S. Patent # 5,959,490.

Although Candage et al. does not have an antenna connects to the input of the first amplifier, nor does he have a second amplifier connects to the output of the first amplifier, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to connect an antenna and a second amplifier to the amplifier of Candage et al. to have a practical use for the circuit (first amplifier) of Candage et al. since this is well known in the art and a matter of design choice.

#### ***Allowable Subject Matter***

Claims 3, 4, 10, 13, 14, 17, 18, 23, 24, 27-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U. S. Patents # 6,614,280 B1, # 5,760,647, # 5,694,072, and # 5,491,443 contain some limitations of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia T. Nguyen whose telephone number is (703) 308-1927. The examiner can normally be reached on 6:30 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on 703-309-4940. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTN

May 1, 2005



**PATRICIA NGUYEN**  
**PRIMARY EXAMINER**